



DEPARTMENT OF HEALTH & HUMAN SERVICES

Food and Drug Administration  
Rockville MD 20857

APR 28 2008

Re: LUCENTIS - 6,407,213  
Docket No.: 2007E-0424  
LUCENTIS - 6,884,879  
Docket No.: 2007E-0425  
LUCENTIS - 7,060,269  
Docket No.: 2007E-0146

The Honorable Jon Dudas  
Undersecretary of Commerce for Intellectual Property  
Director of the United States Patent and Trademark Office  
Mail Stop Hatch-Waxman PTE  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Director Dudas:

This is in regard to the applications for patent term extension for U.S. Patent Nos. 6,407,213; 6,884,879; and 7,060,269, filed by Genentech, Inc., under 35 U.S.C. section 156 et seq. We have reviewed the dates contained in the application and have determined the regulatory review period for LUCENTIS (ranibizumab), the human biological product claimed by the patents.

The total length of the regulatory review period for LUCENTIS is 2,430 days. Of this time, 2,247 days occurred during the testing phase and 183 days occurred during the approval phase. These periods of time were derived from the following dates:

1. The date an exemption under subsection 505(i) of the Federal Food, Drug, and Cosmetic Act involving this biologic product became effective: November 6, 1999.

The applicant claims October 7, 1999, as the date the investigational new drug application (IND) became effective. However, FDA records indicate that the IND effective date was November 6, 1999, which was thirty days after FDA receipt of the IND.

2. The date the application was initially submitted with respect to the human biological product under section 351 of the Public Health Service Act: December 30, 2005.

The applicant claims December 29, 2005, as the date the biologics license application (BLA) for LUCENTIS (BLA 125156/0) was initially submitted. However, FDA records indicate that BLA 125156/0 was submitted on December 30, 2005.

3. The date the application was approved: June 30, 2006.

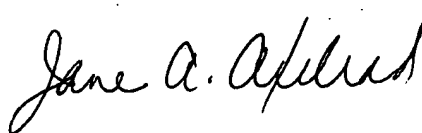
FDA has verified the applicant's claim that BLA 125156/0 was approved on June 30, 2006.

Dudas - Lucentis  
Patent Nos. 6,407,213; 6,884,879; and 7,060,269  
Page 2.

This determination of the regulatory review period by FDA does not take into account the effective date of the patents, nor does it exclude one-half of the testing phase as required by 35 U.S.C. section 156(c)(2).

Please let me know if we can be of further assistance.

Sincerely yours,

A handwritten signature in cursive script, reading "Jane A. Axelrad".

Jane A. Axelrad  
Associate Director for Policy  
Center for Drug Evaluation and Research

cc: Jeffrey P. Kushan  
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